

Index # cv12-4173

Purchased/Filed: August 22, 2012

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT

*Yehuda Katz, on behalf of himself and the class*

Plaintiff

against

*ABP Corporation*

Defendant

STATE OF NEW YORK  
COUNTY OF ALBANY

SS.:

Heather Morigerato, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on August 28, 2012, at 11:45 am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons in a Civil Action and Complaint-Class Action

on

ABP Corporation Fict Name Au Bon Pain, the

Defendant in this action, by delivering to and leaving with Chad Matic, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 28 Approx. Wt: 200 Approx. Ht: 6'0"

Color of skin: White Hair color: Brown Sex: Male Other: \_\_\_\_\_

Sworn to before me on this

6th day of

September 2012

JANE KOEHLER  
NOTARY PUBLIC, State of New York  
No. 01KO6202736, Albany County  
Commission Expires March 23, 2013

*HMorigerato*

Heather Morigerato  
Attny's File No.

Invoice•Work Order # SP1209949

SERVICO, INC. - PO Box 871 - ALBANY, NEW YORK 12201 - PH 518-463-4179